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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/726,233	11/29/2000	Christine Miyachi	XER-20374D/A0600	9612

7590 01/24/2007
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EXAMINER

WORKU, NEGUSSIE

ART UNIT	PAPER NUMBER
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2625

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/24/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/726,233

Applicant(s)

MIYACHI ET AL.

Examiner

Negussie Worku

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This Office action is in response to amendment filed on Nov 01, 2006, in which, applicant's arguments, with respect to the rejection(s) of claim(s) 1, under U.S.C 102(e) have been fully considered.

However, applicant's arguments are not found persuasive, and therefore, the rejection has been maintained and upon further consideration, a response to applicant's arguments has been submitted as presented in page 4 of this Office action.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-7, are rejected under 35 U.S.C. 102(e) as being anticipated by Sperry et al. (USP 5,995,723).

With respect to claim 1, Sperry teaches a partial print provider (processing system 10 of fig 1, adapted to incorporate plurality of printers, col.7, lines 1-10) that

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permits a first print spooler (spooler 44 of fig 2) associated with a network print server (print provider 38 of fig 2) to interface with a second print spooler (one or more spoolers can be provided, col.8, 1-5, which can associated with a print server (print provider 38 of fig 2) associated with the network print server (38 of fig 2. col.7, lines 50-55) for further processing of a print job submitted to a the network print server (38 of fig 2) from a network print client (15-1 of fig 1, col.7, lines 17-20).

With respect to claim 2, Sperry teaches a partial print provider (processing system 10 of fig 1, adapted to incorporate plurality of printers, col.7, lines 1-10), wherein the network print server (38 of fig 2) is operating Windows NT software (application 30 of fig 2, such as Microsoft Window application, col.7, lines 39-43), and the second print spooler is a Windows NT print spooler, (col.7, lines 1-10).

With respect to claim 3, Sperry teaches a partial print provider (processing system 10 of fig 1, adapted to incorporate plurality of printers, col.7, lines 1-10), Wherein the interface between the NT print spooler and the first spooler (44 of fig 4) permits the first spooler to Leverage off on Microsoft's print services, protocols and network technologies (printers of fig 2, are connected to a local printer server which is a micro soft service protocol in a network environment).

With respect to claim 4, Sperry teaches a partial print provider (processing system 10 of fig 1, adapted to incorporate plurality of printers, col.7, lines 1-10), wherein

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the partial print provider is a dynamically linked Library file, (PDL from GDI, col.7, lines 40-45).

With respect to claim 5, Sperry teaches a partial print provider (processing system 10 of fig 1, adapted to incorporate plurality of printers, col.7, lines 1-10), wherein all print jobs received by the second spooler (one or more spooler, col.col.8, lines 1-5) is forwarded to the first spooler (44 of fig 2) for further processing.

With respect to claim 6, Sperry teaches a partial print provider (processing system 10 of fig 1, adapted to incorporate plurality of printers, col.7, lines 1-10), wherein the partial print provider can be modified to establish an interface between the print spooler (44 of fig 2).

With respect to claim 7, Sperry teaches a partial print provider (processing system 10 of fig 1, adapted to incorporate plurality of printers, col.7, lines 1-10), wherein the network print server is configured to be used with a xerographic print (printers of fig 2, via printer server 38 of fig 2).

Response to the arguments

4. The remarks made by applicant regarding the relevance of the prior art used to reject the application have been reviewed and respectfully considered.

However, Applicant's arguments has not been found persuasive, because the detail of the office action as stated in paragraph 2 of this office action shows the cited

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prior and fully discloses the limitation of claims 1-7. Specifically, according to applicant's arguments as indicated in page 2, of the remarks indicates " only a single print spooler is associated with each print provider, as shown in fig 2 of the reference" examiner respectfully disagrees, because as shown in fig 2, in fact there is only one remote spooler, However, as the reference teaches in col.7, lines 65 through col.8, lines 1-5, there is a suggestion that more than one spoolers can be implemented in the system.

Furthermore, Applicant's arguments do not comply with 37 CFR 1.111(c) because they do not clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made.

Therefore, for the reasons discussed above examiner still believes that claims 1-7 are not in condition for Allowance.

5. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

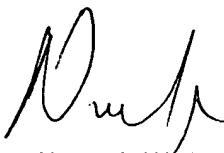
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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

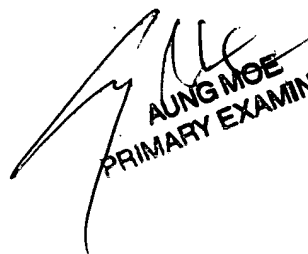
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Negussie Worku whose telephone number is 571-272-7472. The examiner can normally be reached on 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore, can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Negussie Worku
01/02/07



AUNG MOE
PRIMARY EXAMINER